

**IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL**

Writ Petition No. 1512 (S/S) of 2007

1. Satish Kumar S/o Sri Bhullan Singh
R/o Village Jhabreri Khurd, P.O. Jhabrera Tehsil Roorkee,
District-Haridwar
2. Mukesh Kumar S/o Inchha Ram
R/o Village Lathar Deva Hun, P.O. Jhabrera Tehsil Roorkee,
District Haridwar -----Petitioners

Versus

1. State of Uttarakhand through Secretary Education,
Secretariat Complex, Dehradun
2. Director of School Education, Uttarakhand, Dehradun
3. Principal D.I.E.T. Roorkee District Haridwar
-----Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri Navneet Kaushik, learned counsel for the petitioner and Sri N.P. Shah, learned Standing Counsel State of Uttarakhand for the respondents.

By means of this writ petition, the petitioner has prayed for the following reliefs:

1. Issue a writ, order or direction in the nature of mandamus directing the respondents to permit the petitioners for Special B.T.C. Training at District Haridwar for which the petitioners have been duly selected
2. Issue a writ, order or direction in the nature of mandamus directing to respondents to keep two seats vacant for the petitioners in Science Group for Special B.T.C Training at Haridwar for which the petitioners have been duly selected till the disposal of the present petition.

3. Pass any other order or direction, which this Hon'ble Court may deem fit and proper under the circumstances of the case.
4. Award cost of the petition in favour of the petitioner.

The stand of the petitioners is that both the petitioners were selected for Special B.T.C Training in the district of Pauri. Petitioner no. 1 joined Special B.T.C Training in July 2005 and petitioner no.2 joined in March 2006 in Pauri. Both the petitioners have completed their B.T.C. Training from Pauri. Learned counsel for the petitioner has submitted that petitioner no. 1 has already got appointment in district Pauri as a Primary School Teacher. Petitioner no. 2 was also offered appointment in district Pauri after completing the training, however, he has not joined in District Pauri.

Learned counsel for the petitioner has further submitted that in the year 2006, an advertisement was issued for Special B.T.C. Training in District Haridwar and both the petitioners have applied for training in Haridwar, however, they are not being directed to join the Special B.T.C Training because they could not submit an affidavit that they have not earlier passed Special B.T.C. Training. This affidavit cannot be submitted by the petitioners as they have already passed Special B.T.C. Training from Pauri.

I do not find any ground to direct the respondents to permit the petitioners to join the training at Haridwar because as the petitioners have already passed Special B.T. C Training from Pauri and they were also offered appointment, against which petitioner no. 1 has joined, however, petitioner no.2 has not accepted the post. Had the petitioners not joined the Special B.T.C. Training at

Pauri, some other persons would have got opportunity to the training at Pauri. The petitioners, therefore, cannot be directed to join the training at Haridwar as they have already completed their training from Pauri and they are not required to be permitted again to join the training in another district.

For the reasons recorded above, the writ petition is dismissed in limine. All the pending applications stand disposed of.

(M.M. Ghildiyal, J.)

06.11.2007
VKS